

GP 1646\$

PATENT APPLICATION

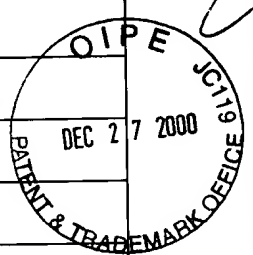
FEE AUTHORIZATION / AMENDMENT TRANSMITTAL LETTER

Attorney's Docket No:
A-451F

Serial No. 09/211,297	Filing Date December 14, 1998	Examiner Draper, G.	Group Art Unit 1646
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In Re Application of
Boyle et al.

For
Osteoprotegerin Binding Proteins



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

- ☒ Applicant(s) request(s) the following extension of time under 37 CFR 1.136(a):
 - ☐ One month of original due date (\$110.00)
 - ☐ Two months of original due date (\$390.00)
 - ☒ Three months of original due date (\$890.00)
 - ☐ Four months of original due date (\$1,390.00)
 - ☐ Five months of original due date (\$1,890.00)
- ☒ A response in connection with the matter for which this extension is requested:
 - ☒ is filed herewith.
 - ☐ has been filed.
 - ☐ The response is the filing of a continuing prosecution application, the prior application having an express abandonment conditioned on the granting of a filing date to the continuing application.
- ☒ The accompanying papers include amended claims for which no additional fee is required.
- ☐ The accompanying papers include amended claims the fee for which has been calculated as follows:

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CLAIMS AS AMENDED

(1)	(2) Claims remaining After amendment	(3)	(4) Highest number Previously paid for	(5) No. of Extra claims present	(6) Rate	(7) Additional Fee
Total Claims	37	Minus	41 =	0	x \$18	= \$ 0.00
Indep. Claims	2	Minus	11 =	0	x \$80	= 0.00
<input type="checkbox"/> First Appearance of a multiple dependent claim					+ \$270	= 0.00
Total Additional Fee for this Amendment						\$0.00

- * If the entry in column 2 is less than the entry in column 4, write "0" in column 5.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col 1. of a prior amendment or the number of claims originally filed.

☒ The following other fees are incurred by the accompanying papers.

☒ Other: Supplemental Information Disclosure Statement and Form PTO-1449 \$180.00

Please charge Deposit Account No. 01-0519 in the name of Amgen Inc. in the amount of \$ 1070.00. A duplicate copy of this petition is attached.

☒ If an additional extension of time is required, please consider this a request therefore.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required by the accompanying papers, or credit any overpayment to Deposit Account No. 01-0519.

Please Send Future Correspondence To:

US Patent Operations/RBW
Dept. 4300, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799

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Date: December 20, 2000

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

December 20, 2000
Date

D. Dillon
Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s): Boyle et al.

Serial No.: 09/211,297

Group Art Unit No.: 1646

Filed: December 14, 1998

Examiner: Draper, G.

For: Osteoprotegerin Binding Proteins

Docket No.: A-451F

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated July 3, 2000 in which Claims 37-47 are rejected under 35 U.S.C. 112. Reconsideration and withdrawal of the rejections are requested in view of the amendments and remarks set forth below.

AMENDMENT

Please amend the application as follows:

In the claims:

37. (amended) A composition comprising an antibody or fragment thereof which binds to an osteoprotegerin binding protein and a pharmaceutically acceptable diluent, carrier, solubilizer, emulsifier, preservative and/or adjuvant, wherein the antibody or fragment is present in an amount effective to inhibit bone resorption in a patient, and wherein the osteoprotegerin binding protein comprises the amino acid sequence of Figure 2 (SEQ ID NO: 37), Figure 4 (SEQ ID NO: 39), a naturally occurring variant thereof, a soluble form thereof, or a fragment thereof.

40. (amended) The [antibody or fragment] composition of Claim 39 [which] wherein the antibody or fragment is a chimeric antibody or a CDR-grafted antibody.

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D. Dillon
Signature